

Sixth Appellate District

San Jose, California

MONDAY, OCTOBER 16, 2006

H029066 MOORE v. LAMARQUE et al.

The appeal taken by Moore from the nonappealable orders is hereby dismissed. (not published)
(Duffy, J.; We concur: Mihara, Acting P.J., McAdams, J.)
Filed October 16, 2006

H028770 WHITE v. SAN JOSE WATER COMPANY

The application filed by San Jose Water Company for relief from default is granted. Its request filed on October 11, 2006, for publication of the opinion filed in the above entitled action is denied. The opinion does not meet any of the criteria set forth in California Rules of Court rule 976(c).

In compliance with California Rules of Court, rule 978 (b), the Clerk shall transmit the request for publication and a copy of this order to the Supreme Court.

TUESDAY, OCTOBER 17, 2006

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Premo, J.; Elia, J.; and LaNae Brooks, Deputy Clerk.

H028515 PEOPLE v. GUTIERREZ

Cause called and argued by David Y. Stanley appearing for Appellant and by Allen R. Crown, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H029229 PEOPLE v. PEKIN

Cause called and argued by Nancy M. Battel appearing for Appellant and by Respondent Michael Pekin appearing In Propria Persona. Cause ordered submitted.

H028871 SHAHBAZI v. EQUILON ENTERPRISES , et al.,

Cause called and argued by Appellant Mehdi Shahbazi appearing In Propria Persona and by Colin Charles West appearing for Respondents and by Brian M. O'Dea appearing for Respondents. Cause ordered submitted. Court recesses until the 1:30 p.m. calendar

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Premo, J.; Elia, J.; and J. Michel, Deputy Clerk.

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Tuesday, October 17, 2006 (continued)

H028994 KATZ v. CAMPBELL UNION HIGH SCHOOL DISTRICT

Cause called and argued by Aaron Lee Katz appearing for Appellant and by Judd Lindsay Jordan appearing for Respondent. Cause ordered submitted.

H029307 KATZ v. MOUNTAIN VIEW-WHISMAN SCHOOL DISTRICT

Cause ordered submitted without argument.

H029086 GIBBS, et al. v. PFREMMER, ET AL.

Cause called and argued by Edmund Regalia appearing for Appellants and by Patricia Pfremmer appearing for Respondents. Cause ordered submitted.

H029288 ITECH GROUP, INC. v. NATIONAL SEMICONDUCTOR CORPORATION

Cause called and argued by Mark B. Fredkin appearing for Plaintiff, Cross-Defendant and Appellant and by Warrington Samuel Parker appearing for Defendant, Cross-Complainant and Appellant. Cause ordered submitted.

The court stands in adjournment.

H029382 In re JAMES SAUERS on Habeas Corpus

By the Court*:

Respondent's petition for rehearing is denied.

Filed: October 17, 2006

*Before Premo, Acting P.J., Elia, J. and Duffy, J.

WEDNESDAY, OCTOBER 18, 2006

H028783 PEOPLE v. MENTCH

The judgment is reversed. The matter is remanded for resentencing on count five, unless the prosecutor elects to retry counts one and two. (published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed October 18, 2006

THURSDAY, OCTOBER 19, 2006

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Bamattre-Manoukian, Acting P.J.; McAdams, J.; Duffy, J.; and Jane Valdez Flor, Deputy Clerk.

Sixth Appellate District

San Jose, California

Thursday, October 19, 2006 (continued)

H028993 DELFINO, et al. v. AGILENT TECHNOLOGIES, INC.

Cause called and argued by Michel Angelo Delfino appearing In propria persona and by Mary Day appearing In propria persona and by Bradford Korey Newman appearing for Respondent. Cause ordered submitted.

McAdams, J. leaves the bench and Premo, J. takes the bench.

H028232 PEOPLE v. PERRUSO

Cause called and argued by Jill Kent appearing for Appellant and by John H. Deist, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

Premo, J., Bamattre-Manoukian, J. and Duffy, J. leave the bench and Rushing, P.J., Mihara, J. and McAdams, J. take the bench.

H027819 BEUTEL v. FERGUSON, As Executor, etc.

Cause called and argued by Anthony Boskovich appearing for Appellant and by Joel Franklin appearing for Respondent. Cause ordered submitted.

Rushing, P.J. leaves the bench and Duffy, J. takes the bench.

H029574 SHEPPARD v. LIGHTPOST MUSEUM FUND, INC., et al.

Cause called and argued by Philip T. Darke appearing for Appellants and by Joseph J. Wall appearing for Respondent. Cause ordered submitted. Court is adjourned.

The following cases are submitted this date:

H030186 In re ANDREW M.; SANTA CRUZ COUNTY HRA v. VANESSA M.

H030123 In re KATRINA B.; D.F.C.S. v. GLORIA B.

H029653 GRANTHAM v. NUCOR CORPORATION

The order granting Nucor's motion to quash is affirmed. (not published)

(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed October 19, 2006

H028819 PEOPLE v. GARNICA

By the Court*:

Appellant's petition for rehearing is granted.

Filed: October 19, 2006

*Before Rushing, P.J., Premo, J. and Elia, J.

Sixth Appellate District

San Jose, California

FRIDAY, OCTOBER 20, 2006

The following case is submitted this date:

H028819 PEOPLE v. GARNICA

H029243 PRESERVE OUR VALLEY , et al., v. COUNTY OF MONTEREY

By the Court*:

Appellants' petition for rehearing is denied.

Filed: October 20, 2006

*Before Mihara, J., Rushing, P.J. and Elia, J.

H029660 In re VINCENT B.; DFCS v. DIANE B.,

The order is affirmed. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)

Filed October 20, 2006

H029423 PEOPLE v. STARRETT

The order is affirmed. (not published)

(Mihara, Acting P.J.; We concur: McAdams, J., Duffy, J.)

Filed October 20, 2006

H030123 In re KATRINA B.; DFCS v. GLORIA B.

The juvenile court's order is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)

Filed October 20, 2006

H028370 PEOPLE v. LEON

The judgment is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)

Filed October 20, 2006